

1-1 By: Rose (Senate Sponsor - Whitmire) H.B. No. 1855
 1-2 (In the Senate - Received from the House May 7, 2015;
 1-3 May 11, 2015, read first time and referred to Committee on Criminal
 1-4 Justice; May 21, 2015, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to training, continuing education, and weapons
 1-18 proficiency standards for correctional officers employed by the
 1-19 Texas Department of Criminal Justice.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 493, Government Code, is amended by
 1-22 adding Sections 493.032, 493.033, and 493.034 to read as follows:

1-23 Sec. 493.032. REQUIRED TRAINING FOR CORRECTIONAL OFFICERS.

1-24 (a) The department shall require each correctional officer
 1-25 employed by the department to complete, during the correctional
 1-26 officer's first 24 months of service, not less than 280 hours of
 1-27 training, including:

1-28 (1) 140 hours of on-the-job training; and

1-29 (2) mental health crisis intervention training.

1-30 (b) The department, in consultation with the Texas
 1-31 Commission on Law Enforcement, shall develop mental health crisis
 1-32 intervention training to be part of the training required by
 1-33 Subsection (a)(2).

1-34 (c) The department by rule shall provide temporary
 1-35 exceptions to the requirements of this section for a correctional
 1-36 officer who cannot complete the training required by Subsection (a)
 1-37 due to:

1-38 (1) a medical emergency involving the officer or a
 1-39 member of the officer's family;

1-40 (2) the officer's active military service; or

1-41 (3) the officer's unit or facility being unable to
 1-42 provide training in a timely manner due to severe weather or a
 1-43 catastrophic event.

1-44 (d) An exception created by the department under Subsection
 1-45 (c) must ensure compliance with the training requirements of this
 1-46 section as soon as practicable after the period required by this
 1-47 section.

1-48 (e) The department shall indicate in the correctional
 1-49 officer's personnel file that the officer has completed the
 1-50 training required by this section.

1-51 (f) A correctional officer is not required to complete
 1-52 training under this section if the officer's personnel file
 1-53 indicates that the officer has completed the training required by
 1-54 this section during a previous period of employment as a
 1-55 correctional officer during the preceding 36 months.

1-56 (g) The department may suspend or otherwise discipline a
 1-57 correctional officer who fails to comply with the requirements of
 1-58 this section.

1-59 Sec. 493.033. CONTINUING EDUCATION REQUIRED FOR
 1-60 CORRECTIONAL OFFICERS. (a) The department shall require each
 1-61 correctional officer employed by the department to complete at

2-1 least 80 hours of continuing education programs once every 24
2-2 months. The department may suspend or otherwise discipline a
2-3 correctional officer who fails to comply with this requirement.

2-4 (b) As part of the continuing education requirement under
2-5 Subsection (a), a correctional officer must complete a training and
2-6 education program that covers the core requirements designated by
2-7 the department.

2-8 (c) The department shall develop specialized training for
2-9 correctional officers that may be credited toward continuing
2-10 education requirements.

2-11 (d) The department by rule shall provide temporary
2-12 exceptions to the continuing education requirements of this section
2-13 for a correctional officer who cannot meet the continuing education
2-14 requirements of this section due to:

2-15 (1) a medical emergency involving the officer or a
2-16 member of the officer's family;

2-17 (2) the officer's active military service; or

2-18 (3) the officer's unit or facility being unable to
2-19 provide training in a timely manner due to severe weather or a
2-20 catastrophic event.

2-21 (e) An exception created by the department under Subsection
2-22 (d) must ensure compliance with the continuing education
2-23 requirements of this section as soon as practicable after the
2-24 period required by this section.

2-25 Sec. 493.034. CONTINUING DEMONSTRATION OF WEAPONS
2-26 PROFICIENCY. (a) The department shall designate one or more
2-27 firearms proficiency officers and require each correctional
2-28 officer employed by the department to demonstrate weapons
2-29 proficiency to a firearms proficiency officer at least annually.
2-30 The department shall maintain records of the weapons proficiency of
2-31 correctional officers.

2-32 (b) The department by rule shall define weapons proficiency
2-33 for purposes of this section.

2-34 SECTION 2. Not later than January 1, 2016, the Texas
2-35 Department of Criminal Justice shall adopt rules as required by
2-36 Sections 493.032, 493.033, and 493.034, Government Code, as added
2-37 by this Act.

2-38 SECTION 3. (a) Section 493.032, Government Code, as added
2-39 by this Act, applies only to a correctional officer hired by the
2-40 Texas Department of Criminal Justice on or after the effective date
2-41 of this Act. A correctional officer hired before the effective date
2-42 of this Act is governed by the law in effect immediately before the
2-43 effective date of this Act, and that law is continued in effect for
2-44 that purpose.

2-45 (b) Sections 493.033 and 493.034, Government Code, as added
2-46 by this Act, apply to a correctional officer employed by the Texas
2-47 Department of Criminal Justice on or after the effective date of
2-48 this Act, regardless of whether the officer is hired before, on, or
2-49 after that date.

2-50 SECTION 4. This Act takes effect September 1, 2015.

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